IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 30461 of 2007(B)

PETITIONER:

K.PRADEEP KUMAR, S/O KUNJAPPA,
AGED 41 YEARS, KAIPADATHIL HOUSE,
CHEDICHERRY, IRIKKOOR VILLAGE,
THALIPARAMBU TALUK,(PERVALATH PARAMBU P.O.)
KANNUR DISTRICT.

BY ADV. SRI.ABRAHAM MATHEW (VETTOOR)

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARU TO GOVERNMENT, DEPARTMENT OF REVENUE,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
KANNUR DISTRICT.

3. THE DEPUTY THAHSILDAR(RR),
THALIPARAMBU.

4. THE VILLAGE OFFICER,
IRIKKOOR, KANNUR DISTRICT.

5. THE CANARA BANK, IRIKKOOR,
KANNUR DISTRICT.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 30461 of 2007

Dated this the 5th December, 2007

J U D G M E N T

The petitioner had availed a loan of Rs.43,700/- from the 5th respondent. Subsequently, repayment was defaulted. The Bank has initiated steps for recovery of the amount due. According to the petitioner, loan was availed for orchid cultivation and therefore the petitioner would be entitled to remission of interest. Petitioner has filed Exhibit-P9 in this regard before the Kerala Farmers Debt Relief Commission, headed by a Hon'ble retired Judge of this Court.

Mr. Gopinatha Menon, learned counsel for the 6th respondent submits that petition in the nature of Exhibit-P9 could be taken cognizance of by said commission and adjudicated upon. Reliefs could also be granted in appropriate cases. This is subject to the conditions which are mentioned in the Act.

In the circumstances, this writ petition is disposed of giving liberty to the petitioner to move the said Commission and seek appropriate orders thereon. To enable the petitioner to do so, enforcement of Exhibits P6 and P8 shall be kept in abeyance for a period of two months from today.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007